

REMARKS

Claims 1-16 are all the claims pending in the application. Claims 15-16 are withdrawn from consideration. Claims 1-14 have been examined and stand rejected.

Preliminary Matters

Applicant thanks the Examiner for indicating that the Formal Drawings filed November 24, 2004 are accepted, however, to clarify the record, these drawings were submitted November 24, 2003. Applicant also thanks the Examiner for acknowledging the claim for foreign priority and for considering the Information Disclosure Statement filed October 22, 2004.

Claim Rejections

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admission of Prior Art ("APA") in view of Popovich et al. (6,525,847; hereinafter "Popovich"). Applicant respectfully traverses this rejection as follows.

Claim 1

Applicant respectfully submits that the Examiner has failed to establish *prima facie* obviousness. First, the Examiner has failed to provide a proper teaching or motivation to combine Popovich with the APA. Second, even if one of ordinary skill in the art were motivated to combine the APA and Popovich, neither the APA, Popovich nor any combination thereof teaches or suggest images having parallax when three-dimensional image display is requested, as recited in claim 1. Specifically, Popovich discloses a 3D imaging technique that is unlike a lenticular stereographic image.

The Examiner alleges that Popovich discloses a display apparatus for selectively displaying a two-dimensional image and a three-dimensional image, the display apparatus

comprising a flat panel display device (Fig. 20, ref. 405), and a switching panel (“holographic optical element,” Fig. 20, 420, 470), which is disposed in front of the flat panel display device by a predetermined distance and is controlled according to the type of image generated by the flat panel display device so that the 2-D image and the 3-D image can be displayed. (See Office Action pg. 3)

However, the Examiner concedes that the reference fails to specifically disclose a flat panel device where a plurality of viewpoint images having parallax is generated when a 3-D image display is requested. To compensate for this deficiency, the Examiner applies the APA alleging that it discloses a 7-point 3D display device where a plurality of viewpoint images is generated when 3D image display is requested. (Examiner citing pg.3, par. [07] of the present application.)

Furthermore, the Examiner provides as a motivation to combine the references to following:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a flat panel display device with a plurality of viewpoint images having parallax to be generated when 3D image display is requested since one would be motivated to not only provide horizontal and vertical parallax ([07]), but also to provide simple means of generating 3D image by displaying different view images ([05]) with common applications in lenticular method and Integral Photography ([05]).
(Office Action, pg. 4).

Applicant submits that one of ordinary skill would not make the combination as alleged by the Examiner because there is no teaching or motivation in the references to make this combination. Further, the Examiner provides no reasoning why one of ordinary skill in the art would combine the parallax viewpoints with the switching panel of Popovich.

In order to make a prima facie case of obviousness, a teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's own disclosure. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991); MPEP § 2143. Furthermore, the level of skill in the art cannot be relied upon to provide the suggestion to combine references. *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999)

In this rejection, the Examiner has not identified a single teaching, but instead relies on the level of skill in the art, counter to the established caselaw. Furthermore, Popovich, which discloses a 3D projection system for displaying holograms, teaches that these holograms are unlike the images generated by lenticular stereographic images because the holograms provide a 3D image that can be inspected from a number of different viewpoints selected by the observer. (col. 2, lines 31-36)

Thus, Popovich teaches away from combining its switchable holographic lens array with lenticular stereographic images in direct contrast to the Examiner's alleged motivation to combine.

Thus, Applicant respectfully submits that independent claim 1 is allowable over the applied combination. Furthermore, Applicant submits that claims 2-14 are allowable, at least because of their dependency.

Conclusion

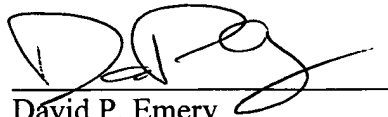
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response Under 37 C.F.R. § 1.111
U.S. Appln No. 10/719,019

Atty Dkt No. Q78117

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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